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MAY 19 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY 18 2009	
By _____	Clerk
_____	Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) Subcases 01-2D, 01-327B, 01-10216 and
Case No. 39576) 01-10217
) (Call Farms Partnership)
)
) SPECIAL MASTER REPORT

Findings of Fact

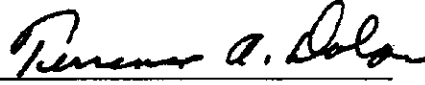
The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, IDWR Lower Basin 01 (Part 1)* on May 15, 2006. The Director recommended the claims to Call Farms Partnership, c/o Evan Call, 4371 Coldwater Road, American Falls, Idaho, 83211, for 1.433 cfs, 4.992 cfs, 4.771 cfs and 1.429 cfs from the Snake River to irrigate 998.3 acres in Power County from April 1 to October 31 with priority dates of June 1, 1890, April 1, 1939, June 1, 1888, and July 10, 1889, based on decrees.

M. Evan Call filed *Objections* on October 4, 2006, objecting to place of use. On March 23, 2009, Call Farms was granted leave to amend overlapping claim 01-10390. Then, on May 6, 2009, Mr. Call and Call Farms, with IDWR's concurrence, filed *Standard Forms 5* in the above four subcases agreeing to amend the places of use equaling 1,097.5 acres.

Conclusions of Law

Call Farms is entitled to partial decrees adjudicating water rights as described in the *SF-5's* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 01-2D, 01-327B, 01-10216 and 01-10217*.

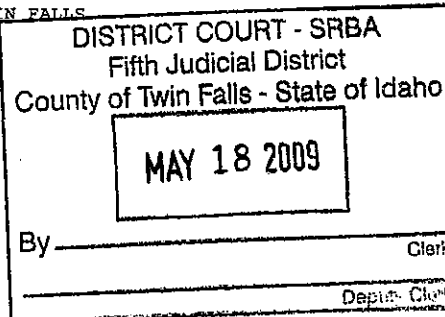
DATED May 18, 2009.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 01-00002D



NAME AND ADDRESS: CALL FARMS PARTNERSHIP
C/O EVAN CALL
4371 COLDWATER RD
AMERICAN FALLS, ID 83211

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.433 CFS

The rights listed below are limited to a total combined
diversion rate of 12.625 cfs. Combined Right Nos.: 1-2D, 1-327B,
1-10216, 1-10217, and 1-10390.

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION: T09S R28E S22 NESE Within Power County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.433 CFS

PLACE OF USE:	Irrigation		Within Power County
	T09S R28E S25	NWNE 0.9	SWNE 7.5
		NENW 12.0	NWNW 7.9
		SWNW 26.0	SENW 13.0
		NESW 26.0	NWSW 23.0
		SWSW 21.0	SESW 23.0
		NWSE 9.6	SWSE 1.8
		NENE 1.7	NWNE 18.0
		SWNE 15.0	SENE 1.6
		NENW 33.0	NWNW 1.9
		SWNW 3.7	SENW 17.0
		NESW 41.0	NWSW 31.0
		SWSW 41.0	SESW 41.0
		NESE 13.0	NWSE 32.0
		SWSE 22.0	SESE 18.0
	S27	NENE 27.0	NWNE 41.0
		SWNE 41.0	SENE 30.0
		NENW 27.0	NWNW 28.0
		SWNW 16.0	SENW 37.0
		NESW 18.0	NWSW 29.0
		SWSW 15.0	SESW 16.0
		NESE 30.0	NWSE 27.0
		SWSE 22.0	SESE 39.0
	S34	NENE 26.0	NWNE 20.0
		NENW 12.0	
	S35	NENE 29.0	NWNE 2.3
		NENW 17.0	NWNW 38.0
	S36	NWNW 7.6	
	1097.5 Acres Total		

This right is limited to the irrigation of 471 acres within the
place of use described above in a single irrigation season.
The rights listed below are limited to the irrigation of a
combined total of 471 acres in a single irrigation season.
Combined Right Nos.: 1-2D, 1-327B, 1-10216, and 1-10217.
The rights listed below are limited to the irrigation of a
combined total of 1097.5 acres in a single irrigation season.

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

Combined right Nos.: 1-2D, 1-327B, 1-10216, 1-10217, 1-10390,
41-7008, and 41-10075.

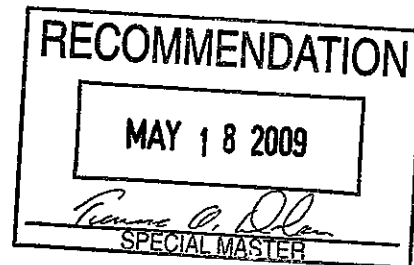
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

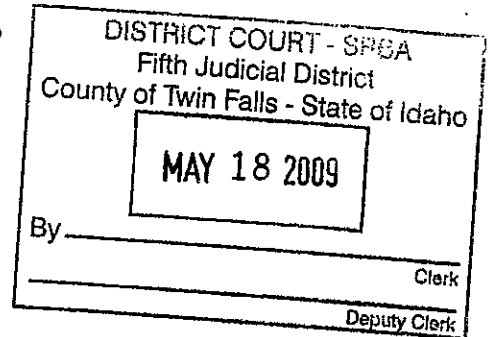
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 01-00327B



NAME AND ADDRESS: CALL FARMS PARTNERSHIP
C/O EVAN CALL
4371 COLDWATER RD
AMERICAN FALLS, ID 83211

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 4.992 CFS

The rights listed below are limited to a total combined
diversion rate of 12.625 cfs. Combined Right Nos.: 1-2D, 1-327B,
1-10216, 1-10217, and 1-10390.

PRIORITY DATE: 04/01/1939

POINT OF DIVERSION: T09S R28E S22 NESE Within Power County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.992 CFS

PLACE OF USE:	Irrigation	Within Power County	
	T09S R28E S25	NWNE 0.9 NENW 12.0 SNNW 26.0 NESW 26.0 SWSW 21.0 NWSE 9.6	SWNE 7.5 NWNW 7.9 SENE 13.0 NWSW 23.0 SESW 23.0 SWSE 1.8
	S26	NENE 1.7 SWNE 15.0 NENW 33.0 SNNW 3.7 NESW 41.0 SWSW 41.0 NESE 13.0 SWSE 22.0	NWNE 18.0 SENE 1.6 NWNW 1.9 SENE 17.0 NWSW 31.0 SESW 41.0 NWSE 32.0 SESE 18.0
	S27	NENE 27.0 SWNE 41.0 NENW 27.0 SNNW 16.0 NESW 18.0 SWSW 15.0 NESE 30.0 SWSE 22.0	NWNE 41.0 SENE 30.0 NWNW 28.0 SENE 37.0 NWSW 29.0 SESW 16.0 NWSE 27.0 SESE 39.0
	S34	NENE 26.0 NENW 12.0	NWNE 20.0
	S35	NENE 29.0 NENW 17.0	NWNE 2.3 NWNW 38.0
	S36	NWNW 7.6	
	1097.5 Acres Total		

This right is limited to the irrigation of 471 acres within the
place of use described above in a single irrigation season.
The rights listed below are limited to the irrigation of a
combined total of 471 acres in a single irrigation season.
Combined Right Nos.: 1-2D, 1-327B, 1-10216, and 1-10217.
The rights listed below are limited to the irrigation of a
combined total of 1097.5 acres in a single irrigation season.

PLACE OF USE (continued)

Combined Right Nos.: 1-2D, 1-327B, 1-10216, 1-10217, 1-10390,
41-7008, and 41-10075.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

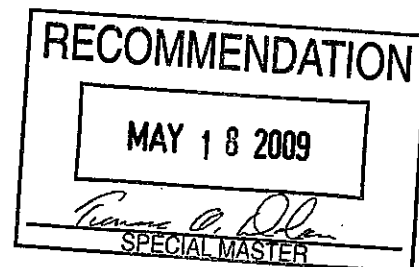
The delivery of water to this right may be subject to procedures described in the United States Bureau of Reclamation "space holder" contracts and the Burley Irrigation Dist. v. Eagle, Supplemental Decree (Idaho 5th Jud. Dist., July 10, 1968) and Aberdeen-Springfield Canal Co. v. Eagle, Supplemental Decree (Idaho 7th Jud. Dist., March 12, 1969) together with the natural-flow and storage deliveries as calculated by the Idaho Department of Water Resources.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

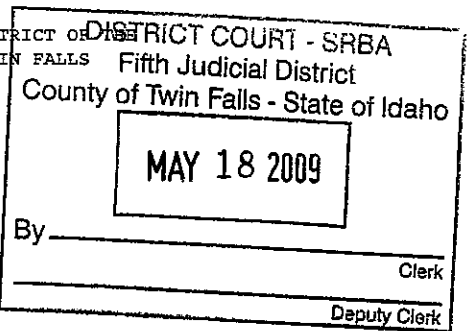
RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS



In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 01-10216

NAME AND ADDRESS: CALL FARMS PARTNERSHIP
C/O EVAN CALL
4371 COLDWATER RD
AMERICAN FALLS, ID 83211

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 4.771 CFS

The rights listed below are limited to a total combined
diversion rate of 12.625 cfs. Combined Right Nos.: 1-2D, 1-327B,
1-10216, 1-10217, and 1-10390.

PRIORITY DATE: 06/01/1888

POINT OF DIVERSION: T09S R28E S22 NESE Within Power County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 4.771 CFS

PLACE OF USE: Irrigation Within Power County

T09S R28E S25	NWNE 0.9	SWNE 7.5
	NENW 12.0	NWNW 7.9
	SWNW 26.0	SENE 13.0
	NESW 26.0	NWSW 23.0
	SWSW 21.0	SESW 23.0
	NWSE 9.6	SWSE 1.8
S26	NENE 1.7	NWNE 18.0
	SWNE 15.0	SENE 1.6
	NENW 33.0	NWNW 1.9
	SWNW 3.7	SENE 17.0
	NESW 41.0	NWSW 31.0
	SWSW 41.0	SESW 41.0
	NESE 13.0	NWSE 32.0
	SWSE 22.0	SESE 18.0
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	SWNE 41.0	SENE 30.0
	NENW 27.0	NWNW 28.0
	SWNW 16.0	SENE 37.0
	NESW 18.0	NWSW 29.0
	SWSW 15.0	SESW 16.0
	NESE 30.0	NWSE 27.0
	SWSE 22.0	SESE 39.0
S34	NENE 26.0	NWNE 20.0
	NENW 12.0	
S35	NENE 29.0	NWNE 2.3
	NENW 17.0	NWNW 38.0
S36	NWNW 7.6	
1097.5 Acres Total		

This right is limited to the irrigation of 471 acres within the
place of use described above in a single irrigation season.
The rights listed below are limited to the irrigation of a
combined total of 471 acres in a single irrigation season.
Combined Right Nos.: 1-2D, 1-327B, 1-10216, and 1-10217.
The rights listed below are limited to the irrigation of a
combined total of 1097.5 acres in a single irrigation season.

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

Combined Right Nos.: 1-2D, 1-327B, 1-10216, 1-10217, 1-10390,
41-7008, and 41-10075.

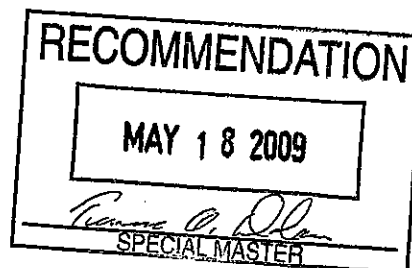
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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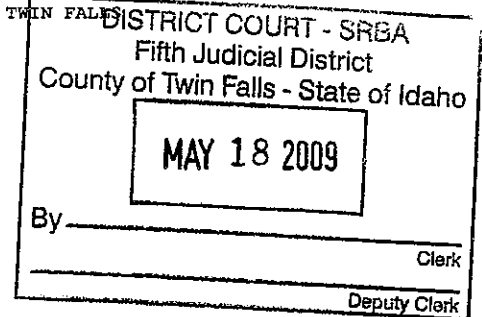
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 01-10217



NAME AND ADDRESS: CALL FARMS PARTNERSHIP
C/O EVAN CALL
4371 COLDWATER RD
AMERICAN FALLS, ID 83211

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.429 CFS

The rights listed below are limited to a total combined
diversion rate of 12.625 cfs. Combined Right Nos.: 1-2D, 1-327B,
1-10216, 1-10217, and 1-10390.

PRIORITY DATE: 07/10/1889

POINT OF DIVERSION: T09S R28E S22 NESE Within Power County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.429 CFS

PLACE OF USE:	Irrigation		Within Power County
	T09S R28E S25	NWNE 0.9	SWNE 7.5
		NENW 12.0	NWNW 7.9
		SWNW 26.0	SENE 13.0
		NESW 26.0	NWSW 23.0
		SWSW 21.0	SESW 23.0
		NWSE 9.6	SWSE 1.8
	S26	NENE 1.7	NWNE 18.0
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		NENW 33.0	NWNW 1.9
		SWNW 3.7	SENE 17.0
		NESW 41.0	NWSW 31.0
		SWSW 41.0	SESW 41.0
		NESE 13.0	NWSE 32.0
		SWSE 22.0	SESE 18.0
	S27	NENE 27.0	NWNE 41.0
		SWNE 41.0	SENE 30.0
		NENW 27.0	NWNW 28.0
		SWNW 16.0	SENE 37.0
		NESW 18.0	NWSW 29.0
		SWSW 15.0	SESW 16.0
		NESE 30.0	NWSE 27.0
		SWSE 22.0	SESE 39.0
	S34	NENE 26.0	NWNE 20.0
		NENW 12.0	
	S35	NENE 29.0	NWNE 2.3
		NENW 17.0	NWNW 38.0
	S36	NWNW 7.6	
	1097.5 Acres Total		

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The rights listed below are limited to the irrigation of a
combined total of 1097.5 acres in a single irrigation season.

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

Combined right Nos.: 1-2D, 1-327B, 1-10216, 1-10217, 1-10390,
41-7008, and 41-10075.

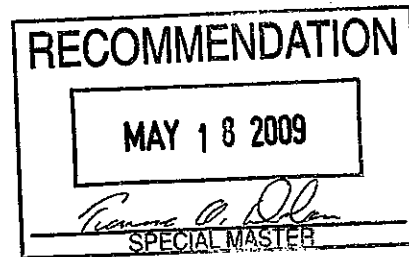
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

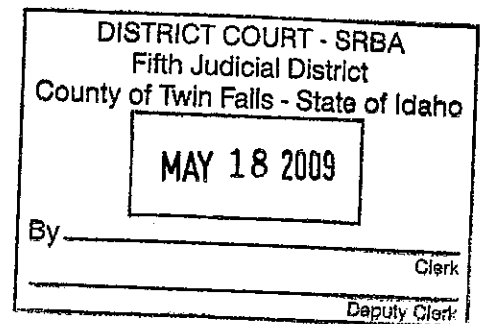
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
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RULE 54(b) CERTIFICATE

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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication





IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)
_____))

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

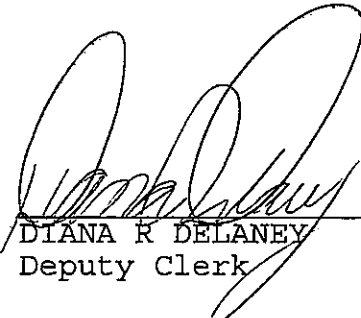
Water Right(s): 01-00002D
01-00327B 01-10216 01-10217

On May 18, 2009, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

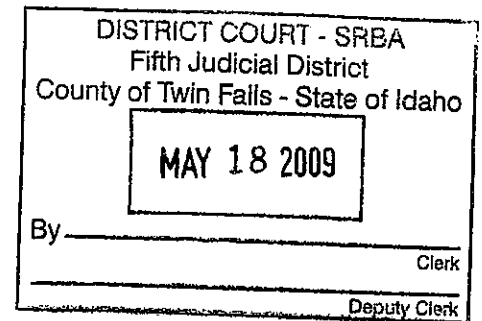
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED May 18, 2009.



DIANA R DELANEY
Deputy Clerk



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 01-00002D
01-00327B 01-10216 01-10217

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on May 18, 2009, with sufficient first-class postage prepaid to the following:

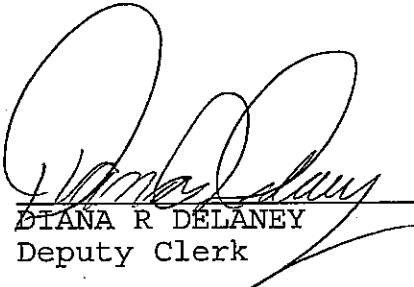
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CALL FARMS PARTNERSHIP
Represented by:
PATRICK D BROWN
HUTCHINSON & BROWN LLP
104 LINCOLN ST
PO BOX 207
TWIN FALLS, ID 83303-0207
Phone: 208-733-9300

CERTIFICATE OF MAILING

PAGE 1
05/18/09

M EVAN CALL
4373 COLD WATER RD
AMERICAN FALLS, ID 83211
Phone: 208-221-9913



DIANA R DELANEY
Deputy Clerk